

HOUSE BILL NO. 98.

Executive Office,
State of Texas.

Austin, April 1, 1911.

To the Secretary of State:

In accordance with Section 14, of Article 4, of the Constitution of Texas, I hand you herewith for filing in the office of the Secretary of State House bill No. 98, the same being:

"An Act to prohibit any corporation, individual, partnership, contractor, superintendent, foreman, engineer or other person having the supervision of any work, being by or for the State of Texas, or any subdivision thereof, or any municipality therein, from requiring any person, other than persons employed as watchman engaged in such work to remain on duty more than eight hours in any consecutive twenty-four hours, except in certain cases of emergency, and excepting further those engaged in the performance of some official duty, and those doing work on public roads not under contract, State and county convicts: and providing a penalty for the violation of the law."

This proposed law would punish any corporation or individual mentioned in the caption quoted above, employing or working men on public buildings over eight hours a day, although paying said laborers extra compensation for the extra time he might work in excess of eight hours.

It would prevent freedom of contract between employer and employe and prohibit the employment of able-bodied men, whose family might need the extra earnings he might make in this way from employing him.

In addition to this there might come a calamity,—such as the burning of an insane asylum or an orphan's home and public necessity might demand a speedy construction or rebuilding of such asylum or other eleemosynary institution for housing and caring for the unfortunate.

Under the terms of the Act which I am filing herewith with the Secretary of State, a contractor to build a public building might be under an agreement to build such a building within a specified time or be subject to the forfeiture of heavy penalties for each day after the expiration of

the time in which he had agreed to complete said structure, but could not employ his help on extra pay for extra time to assist him in the completion of such public works, even though his workmen were willing to enter into a contract with him whereby he would put in extra hours of labor at extra compensation.

I believe the bill is contrary to good public policy and is unjust to the laborer himself who might desire to earn the extra compensation for the extra time for which the contractor might be willing to employ him.

Section 1 of the bill exempts laborers employed in the construction of good roads. I see no justice in making this discrimination between the common laborer on the public road and one engaged in the construction of a public building, for the State, county, town, precinct or school district.

I think the foregoing statement furnishes adequate reasons justifying the veto of this bill.

Yours truly,
O. B. COLQUITT,
Governor.